

PATENT  
ATTORNEY DOCKET NO.: 040894-5685

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Kenichi NISHIKAWA ) Confirmation No.: 9631  
Application No.: 09/892,788 ) Group Art Unit: 2879  
Filed: June 28, 2001 ) Examiner: S. Roy  
For: SPARK PLUG WITH GLAZE AND )  
MARKING (As Amended) )

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT REQUEST FOR RECONSIDERATION**  
**TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment and Request for Reconsideration responding to the Office Action dated June 18, 2003.
2. Additional papers enclosed:

- Drawings:  Formal  Informal (Correction)  
 Information Disclosure Statement  
 Form PTO-1449, two references included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

- An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	17	minus	20	0	x \$18 each=	+ \$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$84 each=	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by $\frac{1}{2}$ for filing by a small entity						- \$ 0.00
TOTAL FEE						\$ 0.00

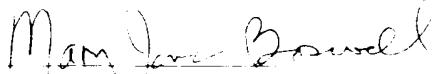
6. Fee Payment

- No fee is to be paid at this time.
- The Commissioner is hereby authorized to charge **\$180.00** for the Information Disclosure Statement filing fee due to Deposit Account No. 50-0310.
- The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated August 25, 2003

By:   
Mary Jane Boswell  
Reg. No. 33,652

**CUSTOMER NO. 09629**

MORGAN, LEWIS & BOCKIUS LLP  
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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant respectfully brings to the attention of the Examiner and the United States Patent Office the documents listed on the attached form PTO-1449. This Information Disclosure Statement is being filed before the mailing date of either a final action under § 1.113, or a notice of allowance under § 1.311. Please charge the \$180.00 fee set forth in § 1.17(p) to Deposit Account No. 50-0310.

A concise explanation of relevance for each of the non-English language documents listed may be ascertained from the English-language translation of their Abstract.

Copies of the listed documents are enclosed. Applicant respectfully requests that the Examiner consider the documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the documents are material or constitute "prior art." If it should be determined that the documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the documents, should any of the documents be applied against any of the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Date: August 25, 2003

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

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MJB/DEC/fdb

I-WA 2041340.1

## **INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.

040894-5685

Application No.

09/892,788

Applicant: Kenichi NISHIKAWA

Filing Date: June 28, 2001

Group Art Unit: 2879

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

10. The following table shows the number of hours worked by 1000 employees of a company. The data is grouped into 5 classes. Calculate the mean, median and mode.

**Examiner**

### Date Considered

### **Examiner:**

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MJB/DEC/fdb

August 25, 2003

Page 1 of 1